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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number
10/660879

CLAIMS AS FILED - PART I

(Column 1)		(Column 2)		SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	FEE		RATE	FEE
BASIC FEE (37 CFR 1.18(d))				\$					
TOTAL CLAIMS (37 CFR 1.160(d))	19 minus 20 =	0	X \$						750
INDEPENDENT CLAIMS (37 CFR 1.160(d))	1 minus 3 =	0	X \$						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.160(d))			X \$						
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL				TOTAL	750

CLAIMS AS AMENDED - PART II

9-11-03

	(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE					
AMENDMENT A	Total (37 CFR 1.160e)	19	20	0	X \$			X \$				
Independent (37 CFR 1.160e)	3	3	0	X \$			X \$					
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160d)				X \$			X \$					
				TOTAL ADD'L FEE			TOTAL ADD'L FEE					
AMENDMENT B	Total (37 CFR 1.160e)	26	20	6	X \$			X \$			360.00	
Independent (37 CFR 1.160e)	4	3	1	X \$			X \$				200.00	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160d)				X \$			X \$					
				TOTAL ADD'L FEE			TOTAL ADD'L FEE				560.00	
AMENDMENT C	Total (37 CFR 1.160e)				X \$			X \$				
Independent (37 CFR 1.160e)				X \$			X \$					
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160d)				X \$			X \$					
				TOTAL ADD'L FEE			TOTAL ADD'L FEE					

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.18. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 12 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: THEWES, et al.

Docket: 2002DE133

Serial No. 10/660,079

Group Art Unit: 1714

Filed: 09/11/2003

Examiner: Thexton, Matthew

For: Fire-Protection Coating

AMENDMENT

Mail Stop:
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed May 13, 2005, please amend the
application as follows:

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10

I hereby certify that this correspondence is, on the date shown below, is being transmitted by
facsimile to Centralized Facsimile Number, Commissioner for Patents, P. O. Box 1450,
Alexandria, VA 22313-1450, Fax No. 703-872-9306 (11 pages)

Vicki L. Sgro: 

Date: October 12, 2005

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Attorney's Docket: 2002DE133
Serial No.: 10/860,079
Group: 1714

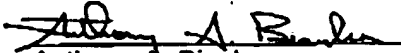
Statement of Reasons for Indication of Allowable Subject Matter

In the section entitled "Statements of Reasons For Indication of Allowable Subject Matter," the Office states, "however, there is no suggestion in the prior art considered to employ aluminum diethylphosphinate for any purpose in coating materials having a film-forming binder." Applicants assert that independent claim 16 independently patentable without reference to aluminum diethylphosphinate.

The Commissioner is hereby authorized to charge deposit account 03-2060 \$250.00 for the 5 additional dependent claims. The Commissioner is also authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 03-2060.

In view of the forgoing amendments and remarks, the present application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, he/she is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,


Anthony A. Bisulca
Attorney for Applicant
Registration No. 40,913

(CUSTOMER NUMBER 25,255)

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